

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MELVIN D. LOCKETT,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-16-546-F
)	
GRADY COUNTY JAIL,)	
)	
Defendant.)	

ORDER


United States Magistrate Judge Charles B. Goodwin issued a Report and Recommendation on September 30, 2016, recommending that (1) plaintiff's application for leave to proceed *in forma pauperis* be denied; (2) plaintiff be ordered to pay the full \$400.00 filing fee within 21 days of any order adopting the Report and Recommendation; and (3) plaintiff's action be dismissed without prejudice to refiling if plaintiff fails either to timely pay the filing fee to the clerk of the court or to show good cause for his failure to do so, *see* LCvR 3.3(e).

In the Report and Recommendation, Magistrate Judge Goodwin advised plaintiff of his right to file an objection by October 21, 2016 and further advised plaintiff that failure to timely object waives the right to appellate review of both factual and legal issues therein contained.

To date, plaintiff has neither filed an objection to the Report and Recommendation nor sought an extension of time to file an objection. With no objection being filed within the time prescribed by Magistrate Judge Goodwin, the court accepts, adopts and affirms the Report and Recommendation.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Charles B. Goodwin on September 30, 2016 (doc. no. 8) is **ACCEPTED, ADOPTED** and **AFFIRMED**. Plaintiff's Application for Leave to Proceed In Forma Pauperis, filed May 27, 2016 (doc. no. 5), is **DENIED**. Plaintiff is **ORDERED** to pay the full \$400.00 filing fee within 21 days of this order. Plaintiff's failure to pay the full \$400.00 filing fee to the clerk of the court or to show good cause for his failure to do so within 21 days from the date of this order shall result in the dismissal of plaintiff's action without prejudice to refiling.

DATED October 21, 2016.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE